

TennCare Notice of Privacy Practices

Revised, effective September 1, 2006

This notice describes how medical information about you may be used and disclosed. It also tells you how you can get access to this information. **Please review it carefully.**

Your TennCare is NOT changing. You don't have to do anything.

These papers tell you how we keep your health facts private. The federal government tells us we must give you these papers.

These papers tell you:

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| <ol style="list-style-type: none"> 1. the kinds of health facts we have 2. how we share them 3. who we share them with | <ol style="list-style-type: none"> 4. what to do if you don't want your health facts shared with certain people 5. AND your rights about your health facts |
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Your Health Facts are Private

We know you value the privacy of your **Protected Health Information (PHI)**. PHI is any information used to identify you and to record your health and medical history. We call this your health facts.

Federal law says we must follow privacy rules to keep your health facts private. This law started on April 14, 2003. Everyone who works with us and for us must also follow these privacy rules.

1. The kinds of health facts we have

When you applied for TennCare you told us certain facts about you. Like your name, where you live, and how much money you make. We also have health facts like:

- A list of the health services and treatments you get
- Notes or records from your doctor, drugstore, hospital, or other health care providers
- Lists of the medicine you take now or have taken before
- Results from x rays and lab tests

2. How we share your facts

We can only share your facts as the law lets us. The privacy rules let us share health facts for your care, to pay your health claims, and run our program. We share your facts to:

- Show you have TennCare and to help you get the health care you need.
- Use our internet based records to share health facts with your TennCare providers.
- Pay your health plan and health care providers.
- Check how TennCare benefits are being used. Health facts help us find insurance fraud.

3. Who can we share your facts with?

- With you. We can help you schedule check ups and send you news about health services.
- Other people involved in your care, like family members or caregivers. You can ask us not to share your facts with certain people.

And we can share your facts with everyone who works with TennCare like:

- Health providers like doctors, nurses, hospitals, and clinics
- Your health plan or other companies that have contracts with TennCare
- People helping with appeals if you file a TennCare appeal. Your appeal may be in person or over the phone. Sometimes other people may be with you in your appeal hearing.
- Federal, state or local government agencies providing or checking on health care.

Who else can we share your facts with?

The privacy rules also say we can share health facts with people like:

- Coroners, funeral homes, or providers who work with services like organ transplants.
- Medical researchers. They must keep your health facts private.
- Public health agencies to update their records for births, deaths, or to track diseases.
- The court when the law says we must or when we're ordered to.
- The police or for other legal reasons. We can report abuse or neglect.
- Other agencies – like for military or veterans' activities, national security, jails.

We can also share your health facts if we take out the facts that tell who you are.

But, we can't share your facts with everyone.

Sometimes we'll need your **OK** in writing before we can share your health facts. We'll ask you to sign a paper giving us your **OK** if we need it.

Can you take back your OK?

Yes. You can take back your **OK** anytime. But you must tell us in writing. We can't take back the facts we've already shared.

4. What if you don't want all of your facts shared?

You must ask us in writing not to share certain facts about your health. You must tell us the facts you don't want shared and who you don't want us to share those facts with.

We'll say **OK** if we can. But we might **not** say **OK** if you are a minor child **or** in an emergency. If we can't say **OK**, we'll send you a letter that says why.

5. Your health information Rights

- You can take back your OK anytime but you must tell us in writing. We can't take back the facts we've already shared.
- You can see and get copies of your records. You must ask in writing to do so. You may have to pay money for the cost of copying and mailing your copies. If we can't give you the facts you want, we'll send you a letter that says why.
- You can talk to TennCare about how we share your health facts.

And, you have the right to:

- Ask us in writing not to share certain facts about your health.
- Ask us to not show your medical facts in certain records.
- Ask us to change health facts that are wrong. You must ask in writing and tell us why we need to change it. If we can't make the change, we'll send a letter that says why.
- Ask us in writing to contact you in a different way or in a different place. If writing or talking to you in one place puts you in danger, tell us.
- Ask us in writing for a list of who we've shared your health facts with. The list will say who got your health facts after April 14, 2003.

But it won't list the times we've shared when you've given us your OK. The privacy rules give other times that won't be on the list. Like when we use health facts:

- ♦ to help you get health care or
- ♦ to help with payment for your care or
- ♦ to run our program or
- ♦ to give to law enforcement. They must ask us in writing to keep them off the list.

Requests – ask us in writing

Your requests must be in writing. Be sure you tell us what you're asking us to do. Write your name and TennCare ID number or Social Security Number on your letter.

Send your letter to: TennCare Privacy Officer
 Bureau of TennCare
 P.O. Box 20007
 Nashville, TN 37202

Keep a copy of the letter for your records.

Do you have questions? Do you need help making your request?
Call the Family Assistance Service Center at **1-866-311-4287** for free.

Changes in this Notice

TennCare's policies and procedures about requests may change without notice. We'll use the policies and procedures we have in place when you make your request.

Federal privacy rules and TennCare privacy practices may also change. If important changes are made, we'll send you the changes in writing. We have the right to apply the changes to all the health facts we have. Or only to new health facts we get.

Changes in this notice start September 1, 2006 and apply to all health facts we have. If you need a new copy or want to check for changes, go to www.tennessee.gov/tenncare. Click on **Members** at the top. Or call the Family Assistance Service Center for free.

Electronic Health Record

TennCare uses an electronic health record to keep your health facts. We can send health records from our computers right to your doctor's office computers. The health record is internet based. BUT, **only your** TennCare providers who have signed up and have our **OK** can see your records.

The public **can't see** your internet based health record.

The electronic health record can show doctors your health facts like medicines and lab tests. And, it can show any drug allergies or special health needs you have. This helps them give you get better health care.

BUT, you can decide not to show the medical health facts in this electronic health record. This is called **opt out**. There may be different kinds of **opt out** that you can choose. You must ask us in writing to opt out. We have a page you can use. To get one, call the Family Assistance Service Center at **1-866-311-4287**.

Questions or Complaints

We do not allow unfair treatment in TennCare. No one is treated in a different way because of race, color, birthplace, language, sex, age, or disability. You will not be punished if you complain or ask for help. Do you have questions? Do you think your privacy rights have been violated? Do you think you have been treated unfairly? Call the Family Assistance Service Center at **1-866-311-4287** for free.

Or you can write to:

TennCare Privacy Officer
Bureau of TennCare
P.O. Box 20007
Nashville, TN 37202
1-866-311-4287

OR

U.S. Department of Health and Human Services
Office for Civil Rights
Atlanta Federal Center, Suite 3 B70
61Forsyth St. SW
Atlanta, GA 30303-8909
1-404-562-7886